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HOUSE BILL 806

46TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2003

INTRODUCED BY

Max Coll

AN ACT

**RELATING TO THE LEGISLATURE; REDUCING THE SIZE OF THE
LEGISLATIVE FINANCE COMMITTEE; PROVIDING THAT THE CHAIRS OF THE
HOUSE EDUCATION COMMITTEE AND THE SENATE EDUCATION COMMITTEE
WILL BE NONVOTING ADVISORY MEMBERS OF THE LEGISLATIVE FINANCE
COMMITTEE; PROVIDING FOR A DESIGNEE TO SERVE AT LEGISLATIVE
FINANCE COMMITTEE MEETINGS OR LEGISLATIVE EDUCATION STUDY
COMMITTEE MEETINGS IF A REGULAR MEMBER IS GOING TO BE ABSENT;
LIMITING CERTAIN INTERIM COMMITTEE MEETINGS OUTSIDE OF THE
STATE CAPITOL.**

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

**Section 1. Section 2-5-1 NMSA 1978 (being Laws 1957,
Chapter 3, Section 1, as amended) is amended to read:**

**"2-5-1. LEGISLATIVE FINANCE COMMITTEE CREATED--TERMS--
VACANCIES. --**

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1 A. There is created a continuing joint interim
2 committee of the legislature to be designated the "legislative
3 finance committee". The committee shall be composed of
4 ~~[sixteen]~~ fifteen members, eight members from the house of
5 representatives and ~~[eight]~~ seven members from the senate. The
6 ~~[chairmen]~~ chairs of the house appropriations and finance and
7 house taxation and revenue committees and the senate finance
8 committee or members of their respective committees designated
9 by each of them from time to time shall be members. The chairs
10 of the house education committee and the senate education
11 committee or members of their respective committees designated
12 by each of them from time to time shall be nonvoting advisory
13 members. The minority party shall be represented on the
14 committee by at least one member from each house. Six of the
15 remaining members shall be appointed from the house of
16 representatives by the speaker, and the ~~[seven]~~ six remaining
17 members shall be appointed from the senate by the committees'
18 committee or, if the appointments are made in the interim, by
19 the president pro tempore after consultation with and agreement
20 of a majority of the members of the committees' committee. [~~An~~
21 ~~appointed member may designate a member of his party to serve~~
22 ~~in his place at a committee meeting at which the]~~ If a regular
23 member is going to be absent from a committee meeting, the
24 regular member may designate a legislator from the same house
25 and party to serve in the regular member's place at the meeting

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1 if the member notifies the [~~chairman~~] chair of the legislative
2 finance committee of [~~his~~] the anticipated absence and [~~his~~]
3 notifies the designee at least twenty-four hours before the
4 committee meeting. The regular member shall select the
5 designee from a list of potential designees appointed by the
6 appointing authority for each house. The list shall be
7 maintained in the offices of the legislative finance committee.
8 The appointed members of the committee shall be appointed from
9 each house so as to give the two political parties having the
10 most members in each house the same total proportionate
11 representation on the committee as prevails in that house;
12 provided that in the computation, major fractions shall be
13 counted as whole numbers. Minority members from the house
14 shall be appointed by the speaker only from recommendations
15 made by the minority floor leader, although the speaker shall
16 retain the right to reject any such recommendations.

17 B. Members shall be appointed for terms of two
18 years [~~and shall serve from the time of their appointment until~~
19 ~~the end of the next session of the legislature~~]; provided, the
20 term of any member shall terminate when the member ceases to be
21 a member of the legislature.

22 C. Vacancies in the committee may be filled for the
23 unexpired term by appointment from the house or senate
24 respectively by the respective appointing authority that makes
25 the original appointments and subject to the same

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1 recommendations; provided the new members shall be from the
2 same house of the legislature and the same party from which
3 their predecessors were appointed. The committee shall elect
4 from its membership such other officers as may be deemed
5 necessary. The officers shall be appointed for terms
6 coterminous with their membership on the committee. Each
7 office shall be alternated between the respective houses each
8 two years. [~~For the terms beginning in 1979, the chairman~~
9 ~~shall be a senate member and the vice chairman, if any, shall~~
10 ~~be a house member.~~] The appointing authority of each house
11 shall exercise its appointing authority by naming the
12 [~~chairman~~] chair or vice [~~chairman~~] chair, respectively, on
13 this alternating basis.

14 D. [~~No~~] An action shall not be taken by the
15 committee if a majority of the total membership from either
16 house on the committee rejects the action.

17 E. The legislative finance committee shall not meet
18 outside of the state capitol after August 31 of each year
19 without the prior approval of the New Mexico legislative
20 council."

21 Section 2. Section 2-10-1 NMSA 1978 (being Laws 1971,
22 Chapter 287, Section 1, as amended) is amended to read:

23 "2-10-1. CREATION OF COMMITTEE-- MEMBERS-- NUMBER--
24 APPOINTMENT-- TERM OF OFFICE. --

25 A. A permanent joint interim committee of the

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1 legislature to be called the "legislative education study
2 committee" is created. The committee shall be composed of ten
3 members, four from the senate and six from the house. The
4 house education committee and the senate education committee
5 shall be represented. The committee members shall be appointed
6 for two-year terms, which shall expire on the first day of each
7 odd-year session. The term of any member shall terminate when
8 such member ceases to be a member of the legislature. Members
9 shall be appointed by the committees' committee of the senate
10 or, if the appointment is made in the interim, by the president
11 pro tempore, after consultation with and agreement of a
12 majority of the members of the committees' committee, and the
13 speaker of the house of representatives; provided, however,
14 minority members shall be appointed by the speaker only from
15 recommendations made by the minority floor leader, although the
16 speaker shall retain the right to reject any such
17 recommendations. If a regular member is going to be absent
18 from a committee meeting, the regular member may designate a
19 legislator from the same house and party to serve in the
20 regular member's place at the meeting if the member notifies
21 the chair of the committee of the anticipated absence and the
22 name of the designee at least twenty-four hours before the
23 committee meeting. The regular member shall select the
24 designee from a list of potential designees appointed by the
25 appointing authority for each house. The list shall be

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1 maintained in the offices of the legislative education study
2 committee. Vacancies on the committee shall be filled for the
3 unexpired term by the respective appointing authority [~~which~~]
4 that makes the original appointments and subject to the same
5 recommendations, provided that members shall be appointed from
6 the respective houses, parties and committees so as to maintain
7 the same number of house and senate members and the same
8 representation of standing committees as provided in the
9 original appointments. Each of the two parties having the
10 largest number of members in the legislature shall be
11 represented on the committee in proportion to the membership of
12 each such party in each house; provided that in the
13 computation, major fractions shall be counted as whole numbers,
14 and in no event shall either of the two major parties have less
15 than one member from each house.

16 B. The officers shall be appointed for terms
17 coterminous with their membership on the committee. Each
18 office shall be alternated between the respective houses each
19 two years. [~~For the terms beginning in 1979, the chairman~~
20 ~~shall be a house member and the vice chairman, if any, shall be~~
21 ~~a senate member.~~] The appointing authority of each house shall
22 exercise its appointing authority by naming the [~~chairman~~]
23 chair or vice [~~chairman~~] chair, respectively, on this
24 alternating basis.

25 C. [~~No~~] An action shall not be taken by the

1 committee if a majority of the total membership from either
2 house on the committee rejects such action.

3 D. The legislative education study committee shall
4 not meet outside of the state capitol after August 31 of each
5 year without the prior approval of the New Mexico legislative
6 council. "

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